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24 C&H SUGAR COMPANY, INC. and
25 AMERICAN SUGAR REFINING, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID REY,
Plaintiff,
v.
C&H SUGAR COMPANY, INC., a Delaware
Corporation, AMERICAN SUGAR
REFINING, INC., a Delaware Corporation,
and DOES 1-100, inclusive,
Defendant.

CASE NO. CV 10-01970 SI

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE PRE-TRIAL
CONFERENCE**

The parties hereby stipulate and agree as follows:
WHEREAS; at the hearing on Defendants' motion for summary judgment on October 5,

1 2012, the Court continued the trial date in this matter to January 22, 2013, the same date as the
2 trial date currently set in the matter of *Leatherbury v. C&H Sugar, et al.*, C-10-01969 SI, and
3 informed the parties that they should choose which of the two cases would go to trial on January
4 22, 2013;

5 WHEREAS; the parties have jointly agreed that the *Rey* matter should proceed to trial
6 on January 22, 2012;

7 WHEREAS; the parties are awaiting a ruling on Defendants' summary judgment motion
8 in this matter, and wish as much as possible to avoid unnecessary trial preparation in the event
9 Defendants' motion for summary judgment is granted;

10 WHEREAS; the parties do not at this time wish to continue the trial date of January 22,
11 2013;

12 THE PARTIES HEREBY AGREE AND REQUEST a continuance of the Pretrial
13 Conference and related dates as follows:

14 • Joint Pretrial Conference Statement due: December 18, 2012;
15 • Pretrial Conference date: January 1, 2013;

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1 DATED: November 26, 2012

GEONETTA & FRUCHT, LLP

2 By: /s/ Kenneth N. Frucht

3 Kenneth N. Frucht, Esq.

4 Frederick J. Geonetta, Esq.

Attorneys for Plaintiffs

5 DAVID REY

6 DATED: November 26, 2012

7 EPSTEIN BECKER & GREEN, P.C.

8 By: /s/ Matthew A. Goodin

9 Steven R. Blackburn

10 Matthew A. Goodin

11 Attorneys for Defendants,

12 C&H SUGAR COMPANY, INC. and
13 AMERICAN SUGAR REFINING, INC.

14 **[PROPOSED] ORDER**

15 IT IS HEREBY ORDERED that the pre-trial dates are continued as follows:

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- 17 • Joint Pretrial Conference Statement due: December 18, 2012;
- 18 • Pretrial Conference date: ~~January 15, 2013~~ at 3:30 p.m. January 15, 2013 at 3:30 p.m.

19 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

20 Date: 11/27/12

21 
22 JUDGE OF THE DISTRICT COURT